

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Arthur Ernest Conrad, <i>et al.</i>	
Serial No.: 09/903,976	Conf. No.: 9444	Filing Date: July 12, 2001
Title of Application:	Web Attract Loop	
Group Art Unit: 3622	Examiner: Boveja, Namrata	

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Reply Brief Under 37 CFR §41.41

Dear Sir:

Having received the Examiner's Answer, Appellant submits this Reply Brief for the above-captioned application pursuant to 37 C.F.R. §41.41 as follows.

Reply to Examiner's Response

Appellant has fully set forth its arguments for patentability in its previously filed Appeal Brief. Herein, Appellant briefly addresses the Examiner's Responses to Appellant's arguments, as set forth in the Examiner's Answer.

As noted in Appellant's Appeal Brief, all of the presently appealed claims require, among other limitations, attract loop code transmitted along with a web page from a central computer to a browser on a user computer, which attract loop code monitors the user computer for a user event, and then requests and/or displays attract loop content only if the monitored user event does not occur within a specified time period.

The Examiner notes that, according to Park, "a pointing device (i.e., mouse) activity can be a lapse of time regardless of any user's pointing device activity or a pointing device activity can be a click, drag, movement of the mouse etc...." Examiner's Answer at 8. The Examiner further explains that this amounts to the disclosure of two different types of embodiments: (1) embodiments where the information is displayed on the computer screen when there is an affirmative pointing device activity (e.g., click, drag, etc.), and (2) embodiments where the information is displayed on the computer screen regardless of whether there is a pointing device activity. The Examiner contends that, since Park discloses embodiments of type (2), the Park disclosure anticipates the present claims.

Appellant respectfully submits this is an incorrect reading of the language of the

presently appealed claims. The claims do not recite that the web attract loop requests and/or displays attract loop content when no user event occurs. Rather, the claims recite that the web attract loop requests and/or displays attract loop content only if no user event occurs.

In Park, in the type (2) embodiments identified by the Examiner—where a mere lapse of time comprises the triggering event—the information is displayed on the computer screen whether or not a user event occurs during that lapse of time. The Park disclosure is clear about this. See Col.9, Ins. 62-65 (“the pointing device activity further includes a combination of standard events such as a lapse of time regardless of any user’s pointing device activity”); claims 7, 48 (“said plurality of predefined activities includes a lapse of time regardless of any said pointing device activity”). The Examiner apparently does not dispute this. See Examiner’s Answer at 8 (“a pointing device (i.e., mouse) activity can be a lapse of time regardless of any user’s pointing device activity”). In other words, in the type (2) embodiments disclosed in Park, the information will be displayed on the user screen BOTH if a user event does not occur AND if a user event does occur. Because the information will be displayed if a user event does occur, this disclosed embodiment cannot possibly read on the present claims, which all require that the web attract loop request and/or display attract loop content only if no user event occurs.

Appellant respectfully submits that the Examiner makes several statements that

confuse this distinction. The Examiner states that “a lapse of time *without any user pointing device movement* is a form of activity per Park...” Examiner’s Answer at 8. However, Park does not disclose a triggering event that comprises a lapse of time *with no user pointing device movement*. Instead, it describes a triggering event comprising a lapse of time *whether or not* any user pointing device movement occurs. Similarly, the Examiner states that “the *non-movement of the mouse* for a certain amount of time is a type of activity that is recognized in Park...” Examiner’s Answer at 8. Again, Park does not recognize *non-movement of the mouse* for a certain amount of time as a triggering event. Rather, it recognizes ‘a certain amount of time’ as a triggering event, *regardless of* whether there is any user pointing device activity.

For the foregoing reasons, as well as those set forth in Applicant’s previously filed Appeal Brief, respectfully submits that the claimed invention embodied in each of claims 1-44 is patentable over the cited prior art. As such, Applicant respectfully requests that the rejections of each of claims 1-44 be reversed and the Examiner be directed to issue a Notice of Allowance allowing each of claims 1-44.

Respectfully submitted,

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/Gene S. Winter/
Gene S. Winter, Registration No. 28,352
Todd M. Oberdick, Registration No. 44,268
David W. Aldrich, Registration No. 51,159
Attorneys for Applicant
ST.ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, CT 06905-5619
203 324-6155

Attorneys for Applicant-Appellant